

REMARKS

This paper is intended to be a complete response to the above-identified Office Action. It is believed no fee is due. If fees are required, however, the Commissioner is authorized to deduct the necessary charges from Deposit Account 501922/149-0170US.

Claims 27-29 have been withdrawn. Claims 1, 14 and 30 have been amended. Accordingly, 1-26 and 30 are currently pending in the instant patent application.

Restriction Election

Pursuant to 35 U.S.C. 121 and 37 C.F.R. 1.142, the Examiner has identified claims 1-26 and 30 (Group I) as being "drawn to subject matter directed to methods of searching for (*i.e.*, querying or extracting) data stored as a database" and claims 27-29 (Group II) as being "drawn to database schema or data structure." Office Action at page 2 (¶ 2). Assignee hereby confirms its election to initially pursue the invention of Group I (claims 1-26 and 30).

Claim Objections

The Examiner has objected to claims 1 and 30 because these claims recite "directed the," the meaning of which appears unclear. The Examiner's presumption that these phrases were meant to recite "directed to the" is correct. Office Action at page 3 (¶ 3). Independent claims 1 and 30 have been amended to correct this grammatical error. Assignee acknowledges, with appreciation, the Examiner's careful reading of the claims. Independent claim 14 has been amended to correct a similar grammatical error.

Section 102 Rejections

The Examiner has rejected claims 1-11, 14-24 and 30 as allegedly being anticipated under 35 U.S.C. 102(b) by U.S. Patent 5,881,378 to Hayashi et al. ("Hayashi"). Specifically, the Examiner asserts that:

With respect to independent claims 1 and 14, "Hayashi discloses: a database unload method, comprising [database, extract logical information, Col 13, lines 5-10]: receiving a request to extract data from a database table, the database table having a current version associated with a current schema of the database table and a prior version associated with a prior schema of the database table, the request directed to the prior version [request, old version, new version, database, Col 16, lines 55-60, Fig 17A-17B]; and extracting data from the database table based on the table schema associated with the prior version [database, extract logical information, table, Col 13, lines 5-10, Fig 15A-15B]." Office Action at page 4 (¶ 5) and page 8 (¶ 6). Substantially similar assertions were made with respect to independent claims 30. Office Action at page 7 (¶ 5).

1. Claimed Invention

The claimed invention is directed to a method, device and system to receive a request to extract data from a database table, wherein the database table has a current version associated with a current schema and a prior version associated with a prior schema – the request directed to the prior version, and *extracting data from the database table based on the table schema associated with the prior version*.

2. Discussion Regarding Hayashi

Hayashi is directed to a "derived database processing system." Hayashi at 1:14-19, see also Abstract.¹ As defined by Hayashi, a derived database is "a partial collection of components of [multiple] databases." Hayashi at 6:17-19 and Fig. 1 (element 18). The goal of a derived database appears to be providing access to multiple databases as if they were a single database. Hayashi at 3:59-61, 6:59-61, 10:14-16, 10 17-27 (Fig. 7) and 15:55-16:18. Examples of this use are provided at 7:25-63 and Fig. 2 (access to independently developed databases), 7:64-8:65 and Fig. 3 (access to a division database and a central database), 8:66-9:25 and Fig. 4 (access to databases having the same schema structure but operated differently), 9:26-53 and Fig. 5 (access to private

1 As used herein, the notation A:B-C denotes column A, lines B-C. Similarly, the notation A:B-C:D denotes column A, line B to column C, line D.

and shared databases), 9:54-10:11 and Fig. 6 (access to a test database and a production database).

The Examiner appears to have confused the schema (version information) consistency check of Hayashi with the claimed act of extracting data from a table based on the table's version. Specifically, the Examiner's reliance on Hayashi at 16:55-60 (Figs. 17A and 17B) and 13:5-10 (Figs. 15A and 15B) as teaching the act of extracting or unloading data from a database table based on the table's version is incorrect.

Hayashi describes the use of table schema, version or definition information only in the context of determining whether a first or "new" definition is consistent with a second or "old" definition and, if such consistency is found, to replace the old definition with the new definition. Hayashi at 16:53-17:9 and Fig. 11A. *See also* Hayashi at 17:30-37 (describing why a consistency check operation is useful) and 20:59-21:9 (describing a new definition operation in which only definition, *not table data*, is accessed and replaced).

In accordance with Hayashi, "definition modification managing unit 71, manages old version *definition information*, new version *definition information*, and the relation among them." Hayashi at 16:53-62 and Fig. 11A. Hayashi also teaches that an "access selecting unit 77 allows, when definition information is being accessed, either before-modification (old version) definition information or after-modification (new version) definition information to be selected. Hayashi at 18:63-6, Fig. 11A (emphasis added). To emphasize the fact that table data is not extracted based on a specified one of the new or old version information (as claimed), Hayashi explicitly states that "access selecting unit 77 cannot be used by an application program which simultaneously accesses to the definition information comprising both new and old version definition information, but can be used for verification of the new version definition information during the operation using the old version definition information." Hayashi at 18:63-19-5, Fig. 11A (emphasis added). *See also* Hayashi at 19:40-20:8 and Figs. 12, 14A, 17A and 17B (describing accessing table definition information but declaring that "this does not allow a new version to co-operate with an old version" – that is, data access

operations use only the most recent consistent version of the table schema to retrieve or extract data from a table).

Thus, while Hayashi describes accessing two versions of a table's definition information it is only for the purpose of determining the consistency between the two definitions. Nowhere does Hayashi teach, describe or fairly suggest extracting data from a table based on different schema versions as claimed. For at least these reasons, Hayashi fails to teach each and every element recited in independent claims 1, 14 and 30. As a result, the Examiner has failed to present a legitimate *prima facie* anticipatory rejection under 35 U.S.C. 102. Accordingly, it is respectfully requested that the Examiner withdraw this rejection.

Section 103 Rejections

The Examiner has rejected claims 12, 13, 25 and 26 as allegedly being unpatentable under 35 U.S.C. 103(a) over U.S. Patent 5,881,378 to Hayashi et al. in view of U.S. Patent 6,366,917 to St. John Herbert, III.

Each of claims 12 and 13 depend from independent claim 1 and are, therefore, patentable for at least the same reasons as is claim 1. Similarly, each of claims 25 and 26 depend from independent claim 14 and are, therefore, patentable for at least the same reasons as is claim 14. Accordingly, it is respectfully requested that the Examiner withdraw this rejection.

CONCLUSIONS

Reconsideration of pending claims 1-26 and 30 in light of the above remarks and amendments is respectfully requested. If, after considering this Reply, the Examiner believes that a telephone conference would be beneficial towards advancing this case to allowance, the Examiner is strongly encouraged to contact the undersigned attorney at the number listed.

/Coe F. Miles, Ph.D., J.D./
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